



**United States
Department of
Agriculture**

Food and
Nutrition
Service

3101 Park
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Alexandria, VA
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DATE: May 18, 2011

MEMO CODE: SP 36-2011, SFSP 16-2011

SUBJECT: Restricted Open Sites and Summer Schools

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

It has come to our attention that some State agencies (SAs) are allowing schools that provide summer school programs to enroll in the Summer Food Service Program (SFSP) as a restricted open site instead of an open site, so that meals may be served only to summer school participants, but reimbursements will be received at the higher SFSP rate. This is inconsistent with the definition of restricted open site under 7 CFR 225.2, as well as with the intent of the SFSP. The purpose of this memo is to clarify the requirements and options for schools offering academic summer school programs.

Schools offering summer school programs can be reimbursed for serving meals during the summer in two ways. If the school only wants to serve meals to children enrolled in the summer school program, then it can continue its participation in the National School Lunch Program (NSLP) and School Breakfast Program (SBP). If, in addition to serving children enrolled in summer school, the school also wants and is eligible to serve children in the community at large, then it can operate an open site through the SFSP or the Seamless Summer Option under the NSLP.

The purpose of the restricted open site designation in SFSP is to allow sponsors that want to operate an open site to restrict or limit site participation due to reasons of space, security, safety, or control (7 CFR §225.2). Schools may not operate as a restricted open site simply to receive the higher reimbursement rate offered in SFSP and restrict participation only to summer school students. This is not the intent of the restricted open site option and is an unauthorized use of this site designation. Instead, if a sponsor operates the SFSP program at a site that provides summer school sessions, it must ensure that these sites are open not only to children enrolled in summer school, but to any children residing in the area served by the site (7 CFR §225.14 (d)(2)).

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SAs should direct any questions concerning this guidance to the appropriate FNS Regional Office (RO). ROs with questions should contact the Child Nutrition Division.

Original Signed

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